

THE COCHIN CO-OPERATIVE SOCIETIES ACT (AMENDMENT) BILL

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sort of vehicle to get themselves removed from their homes to these Judicial Courts. In these days even if the lowest type of vehicle the village bullock cart is employed a pretty decent sum will have to be paid and to expect an honorary worker like the Village Court Judge to pay this amount out of his pocket it will not be quite in keeping with the position of the Cochin Government. It will be a hardship put upon him for his agreeing to do voluntary service in the administration of justice amongst the persons round about him. To obviate this difficulty I have tabled this amendment. I hope this Honourable House will accept the same.

Mr. Parambi Lonappen (*Minister for Rural Development*): I wish to make a statement. Government is considering the question whether a travelling allowance is to be given to the Judges of the Village Courts. The matter is being investigated whether a small amount can be given by way of T. A. I do not think it is fair or nice to make a provision in the Bill itself. Government can give an assurance that the matter will be looked into and it will be considered by Government in a sympathetic manner.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): The position of the Government is that without making this part of the Bill the purpose will be served, I should like to know whether the Government will be pleased to sanction a T. A. I am not particular of the amount. A reasonable T. A. will have to be given.

Mr. Parambi Lonappen (*Minister for Rural Development*): We are considering that question and Government will try to make a provision by an executive order, I cannot say it will be done immediately. The fact is that we have investigated that question; I can say that the Government is in sympathy.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): Is there any safety in accepting the watered statement?

Mr. Parambi Lonappen (*Minister for Rural Development*): You can accept the word of the Government.

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*): If it is a word of the Government make it sufficiently good. Then of course in the light of the Hon'ble Minister's word of assurance, I do not wish to press. Really I am very anxious to see that it is not there. I will be only glad. In view of that assurance I withdraw.

Amendment, by leave, withdrawn

Clauses 2, 3 and 1 and title and preamble put and carried

Mr. Parambi Lonappen (*Minister for Rural Development*): Sir, I move that the Bill may be taken for final reading to-morrow.

Mr. M. Sivarama Menon (*Advocate-General*): I second it.

Motion put and carried

3. The Cochin Co-operative Societies Act (Amendment) Bill

Mr. Parambi Lonappen (*Minister for Rural Development*): Sir, I move for the introduction of the Cochin Co-operative Societies Act (Amendment) Bill.

Mr. M. Sivarama Menon (*Advocate-General*): I second it.

Motion put and carried

Secretary to the Council: The title of the Bill is "The Cochin Co-operative Societies Act (Amendment) Bill".

Mr. Parambi Lonappen (*Minister for Rural Development*): Sir, I request S. O. 32 may be suspended and the Bill be taken into consideration at once.

Mr. M. Sivarama Menon (*Advocate-General*): I second it.

Mr. President: S. O. 32 suspended. The Bill may be taken into consideration at once.

***Mr. P. Kumaran Ezhuthassan** (*Vadakkancheri*): I oppose that the Bill be taken up for consideration at once, for this reason. The statement of objects and reasons as noted here refer to the recommendations of the Committee appointed to enquire into the working of the co-operative movement in the State. They have after much labour extending over a pretty large

*Speech not corrected by the Hon'ble Member.

number of months inclusive of years of course, gave 81 recommendations and the Government is seen to have passed orders upon everyone of them. A reading of it will show that the Government has not bestowed any consideration upon the matter any serious consideration which any Government worth the name must have spent in disposing the recommendations of such a costly expert committee. A reading can be had at page 751 of Gazette, dated 16th Mithunam 1120. That date is important, Sir. That date we passed the order. To go even further out of these recommendations Nos. 3, 4, 6, 8, 9, 23, 50, 52, 53, 54, 57, 59, 60 and 63 and some others have been accepted by the Government. In certain cases the principles and in certain other cases the whole, have been accepted. Most of the accepted recommendations either in principle or in toto require appropriate amendments at proper places in the existing act. That being so, an amendment to give effect to the recommendations Nos. 52 and 56 will not be enough. Those two recommendations are given in the objects and reasons. That the co-operative societies must be compulsorily affiliated to the supervising unions. The other is the committee had also recommended that the audit objections of the Registrar should have the same efficacy as those of the Comptroller of Finance and Accounts. That is the recommendation, in that long list of recommendation, I have to characterise it, it has been done in a slipshod way.

Now I cannot really understand the urgency of going in for legislation in the shape of an amendment with regard to these two clauses, while there are amongst the accepted propositions various other things which require amendment, not all of them but very many of them; a reading of this and Government orders will show that. I will further suggest that a comprehensive amendment Bill covering all the accepted recommendations and appropriate changes be made in the existing Bill and if possible more of the recommendations which are for the present rejected or in the shape of noted, will be considered later, and such other things, if again viewed from a new angle by the present Minister, probably a good many of them may get a promotion to the list of accepted and acceptable recommendations. Therefore, I suggest for a serious consideration by the Hon'ble Minister that this may be deferred and a proper Bill, a proper amending Bill of course, taking in all that is necessary in the shape of amendment to be brought forward at the earliest opportunity consistent with the capacity of the Government to come forward with amending Bills. That is the suggestion thrown out by me for serious consideration by the Government in the form it is brought I have to oppose. In the piece-meal way in which it is brought I am constrained to oppose the consideration of this Bill at this stage. Of course, there are other technical grounds also. That has been waived by the order of the Hon'ble President. This is the suggestion which I propose.

Mr. M. Sivarama Menon (Advocate-General): Sir, Government have passed orders upon all the 81 recommendations of the committee and Government have after an examination of all the orders passed by them found as a matter of fact that only two amendments have to be made to the Act as it stands and the other recommendations which are accepted in full or accepted partially can be brought into effect by amendment to the rules. It is only these two amendments to the Act that are necessary. If it were the case that several other amendments are necessary to implement the recommendations accepted. I can perfectly understand the stand taken by the Hon'ble Member. Government thought that an amendment to the Act is necessary only to the extent noted in the amending Act. That is the reason that a Bill of this nature was tabled.

***Mr. P. Kumaran Ezhuthassan (Vadakkancheri):** I am not in a position to see eye to eye with the Hon'ble Member, the legal expert of the Government. Since these observations are from the Government and that from this legal expert I have only to bow to that view and if I have the same view that I have now I will do the proper thing on an appropriate occasion and bring a comprehensive amending Bill and try to convince the expert that his expert opinion after all is not an expert opinion. So I withdraw.

Mr. K. S. Panickar (Ezhaivas-Trichur): Why this 16th Mithunam 1120, is an important date?

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): I refuse to answer it.

Amendment, by leave, withdrawn

Clauses 2, 3 and 1 and title and preamble were put and carried

Mr. Parambi Lonappen (Minister for Rural Development): Sir, I move the Bill may be taken up tomorrow, and finally passed.

Mr. M. Sivarama Menon (Advocate-General): I second it.

Motion put and carried

**Speech not corrected by the Hon'ble Member.*